



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,129	11/28/2001	John William Sweitzer	AUS920010639US1	1409

40412 7590 02/23/2006

IBM CORPORATION- AUSTIN (JVL)
C/O VAN LEEUWEN & VAN LEEUWEN
PO BOX 90609
AUSTIN, TX 78709-0609

EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT PAPER NUMBER

2166

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability

Application No.

09/996,129

Examiner

Srirama Channavajjala

Applicant(s)

SWEITZER ET AL.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 10/28/05.
2. ☒ The allowed claim(s) is/are 1,4-8,11-14,17-20 [re-numbered as: 1-14].
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 8/1/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 02/08/06
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Srirama Channavajjala
Primary Examiner
Art Unit: 2166

DETAILED ACTION

1. Examiner acknowledges applicant's response filed on 10/28/2006.
2. Examiner acknowledges applicant's Appeal Brief filed on 6/6/2005.
3. Examiner acknowledges applicant's response to office action filed on 7/30/2004.
4. Examiner acknowledges applicant's "Declaration under 37 CFR 1.131", and Exhibit-A and Exhibit-B filed on 7/30/2004.

Double Patenting

5. In view of applicant's "Terminal disclaimer" filed on 2/8/2006, the "double Patent" rejection set forth in the previous office action is hereby withdrawn.

Drawings

6. The drawings filed on 11/28/2001 are approved for examination purpose.

Information Disclosure Statement

7. The information disclosure statement (IDS) submitted on 8/1/2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner, a copy of PTO-1449 is hereby enclosed with this office action.

Interview:

8. Applicant's Attorney Joseph T. Van Leeuwen, Registration No. 44,383 is thanked for the telephone interview on 08 February 2006. During that telephone interview Joseph T. Van Leeuwen granted authorization to amend claims 1,8,14 and cancel 2-3,9-10,15-16.

EXAMINER'S AMENDMENT

9. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph T. Van Leeuwen on 08 February 2006.

The application has been amended as follows:

Claims:

1. (currently amended) A method of calibrating a topography for a client, said method comprising:
identifying one or more client attributes corresponding to the client;
grouping a plurality of calibration factors into one or more calibration sets wherein at least one of the calibration factors is selected from the group consisting of centralized management, branch office management, transaction based, small team, hybrid management, discipline oriented management, resource oriented management, and personal management;

comparing the identified client attributes to one or more topographical components, wherein the comparing further includes comparing the identified client attributes to the calibration factor sets;
selecting one or more of the topographical components based on the comparing;
and
installing the selected topographical components on one or more client computer systems.

2. (canceled)
3. (canceled)
4. (Original) The method as described in claim 1 further comprising:
storing one or more calibration factors corresponding to each of the
topographical components in a component metadata file, wherein the
comparing further includes comparing the identified client attributes with
the calibration factors stored in the metadata file;
identifying one or more components based on the comparing; and
retrieving the identified components from a topographical component library.
5. (Original) The method as described in claim 1 further comprising:
packaging the selected topographical components in a topography installation
file; and
transmitting the topography installation file to the client computer system.
6. (Original) The method as described in claim 1 further comprising:
gathering the client attributes, the gathering including examining one or more
attributes selected from the group consisting of client organization charts,
client information technology, client surveys, client requirements, client
physical environments, and client location data.

Art Unit: 2166

7. (Original) The method as described in claim 1 further comprising:
installing one or more topography neutral application components on the client
computer systems, wherein the topography neutral application
components is adapted to interoperate with more than one topography.
8. (currently amended) An information handling system for calibrating a topography
for a client, said information handling system comprising:
one or more processors;
a memory accessible by the processors;
one or more nonvolatile storage devices accessible by the processors;
a topography calibration tool to calibrate a topography installed on a computer
system, the topography calibration tool including:
means for identifying one or more client attributes corresponding to the client;
means for grouping a plurality of calibration factors into one or more calibration
sets wherein at least one of the calibration factors is selected from the
group consisting of centralized management, branch office management,
transaction based, small team, hybrid management, discipline oriented
management, resource oriented management, and personal
management;
means for comparing the identified client attributes to one or more topographical
components, wherein the comparing further includes comparing the
identified client attributes to the calibration factor sets;
means for selecting one or more of the topographical components based on the
comparing; and
means for installing the selected topographical components on one or more client
computer systems.
9. (canceled)
10. (canceled)

11. (Original) The information handling system as described in claim 8 further comprising:
means for storing one or more calibration factors corresponding to each of the topographical components in a component metadata file, wherein the comparing further includes comparing the identified client attributes with the calibration factors stored in the metadata file;
means for identifying one or more components based on the comparing; and
means for retrieving the identified components from a topographical component library.
12. (Original) The information handling system as described in claim 8 further comprising:
means for packaging the selected topographical components in a topography installation file; and
means for transmitting the topography installation file to the client computer system.
13. (Original) The information handling system as described in claim 8 further comprising:
means for gathering the client attributes, the means for gathering including examining one or more attributes selected from the group consisting of client organization charts, client information technology, client surveys, client requirements, client physical environments, and client location data.
14. (currently amended) A computer program product stored in a computer ~~operable~~ readable storage media for calibrating a topography for a client, said computer program product comprising:
means for identifying one or more client attributes corresponding to the client;
means for grouping a plurality of calibration factors into one or more calibration sets wherein at least one of the calibration factors is selected from the group consisting of centralized management, branch office management,

transaction based, small team, hybrid management, discipline oriented management, resource oriented management, and personal management;

means for comparing the identified client attributes to one or more topographical components, wherein the comparing further includes comparing the identified client attributes to the calibration factor sets;

means for selecting one or more of the topographical components based on the comparing; and

means for installing the selected topographical components on one or more client computer systems.

15. (canceled)

16. (canceled)

17. (Original) The computer program product as described in claim 14 further comprising:

means for storing one or more calibration factors corresponding to each of the topographical components in a component metadata file, wherein the comparing further includes comparing the identified client attributes with the calibration factors stored in the metadata file;

means for identifying one or more components based on the comparing; and

means for retrieving the identified components from a topographical component library.

Art Unit: 2166

18. (Original) The computer program product as described in claim 14 further comprising:
means for packaging the selected topographical components in a topography installation file; and
means for transmitting the topography installation file to the client computer system.
19. (Original) The computer program product as described in claim 14 further comprising:
means for gathering the client attributes, the means for gathering including examining one or more attributes selected from the group consisting of client organization charts, client information technology, client surveys, client requirements, client physical environments, and client location data.
20. (Original) The computer program product as described in claim 14 further comprising:
means for installing one or more topography neutral application components on the client computer systems, wherein the topography neutral application components is adapted to interoperate with more than one topography.

Reasons for allowance


Claims 1,4-8,11-14,17-20 are allowed

The following is an examiner's statement of reasons for indication of allowable subject matter: The prior art of record fails to teach a combination of elements including *"grouping a plurality of calibration factors into one or more calibration sets wherein at least one of the calibration factors is selected from the group consisting of centralized management, branch office management, transaction based, small team, hybrid management, discipline oriented management, resource oriented management, and personal management"*, *"wherein the comparing further includes comparing the identified client attributes to the calibration factor sets"* in the independent claims 1,8,14. These features, together with the other limitations of the independent claims are novel and non-obvious over the prior art of record. The dependent claims 4-7,11-13,17-20 being definite, enabled by the specification, and further limiting to the independent claim, are also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc
Patent Examiner.
February 09, 2006.


SRIRAMA CHINNAIYALA
PRIMARY EXAMINER